

NITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

MAR 14 2023 SMB

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)

)

)

v.)

)

ZISHAN ALVI)

)

)

No. 23 CR 142-1

)

Magistrate Judge Beth W. Jantz

FORFEITURE AGREEMENT

Pursuant to the Order Setting Conditions of Release entered in the above-named cases on March 13, 2023 for and in consideration of bond being set by the Court for defendant ZISHAN ALVI (the "defendant") in the amount of \$2,000,000, being partially secured by real property, **ZISHAN H. ALVI AND ROSEANN M. GAGER, GRANTOR(S)** hereby understand, warrant and agree:

1. **ZISHAN H. ALVI AND ROSEANN M. GAGER** warrant that they are the sole record owners and titleholders of the real property located at 160 Braymore Court, Inverness, Illinois described legally as follows:

LOT 38 IN BRAYMORE HILLS OF INVERNESS, UNIT NO. 3, A SUBDIVISION OF PART OF THE NORTH 1/2 OF SECTION 13, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 25, 1989 AS DOCUMENT 89039202, IN COOK COUNTY, ILLINOIS

Permanent Index Number: 01-13-103-013-0000
(the "subject property")

2. **ZISHAN H. ALVI AND ROSEANN M. GAGER** warrant that there are two outstanding mortgages against the subject property and that their equitable interest in the real property equals at least \$865,000.

3. **ZISHAN H. ALVI AND ROSEANN M. GAGER** have received a copy of the Court's Order Setting Conditions of Release and understand its terms and conditions.

4. **ZISHAN H. ALVI AND ROSEANN M. GAGER** understand and agree that the defendant will be subject to the terms and conditions of the Order Setting Conditions of Release until any of the following events: (a) defendant surrenders to serve his sentence; (b) defendant is taken into custody by order of the court in the above-captioned matter; (c) the above-captioned matter is dismissed against defendant in its entirety; or (d) judgment is entered in defendant's favor.

5. **ZISHAN H. ALVI AND ROSEANN M. GAGER** agree that public docket entries and filings in the above-captioned matter constitute adequate notice to the sureties of all judicial proceedings in the case. **ZISHAN H. ALVI AND ROSEANN M. GAGER** understand that modifications to the Court's Order Setting Conditions of Release may occur and may materially change the conditions of release. In exchange for the entry of the Order Setting Conditions of Release, **ZISHAN H. ALVI AND ROSEANN M. GAGER** waive any right to receive notice of judicial proceedings from the United States or the Court.

6. **ZISHAN H. ALVI AND ROSEANN M. GAGER** understand and agree that this forfeiture agreement applies to any modified Order Setting Conditions of Release entered by the Court in the above-captioned matter.

7. **ZISHAN H. ALVI AND ROSEANN M. GAGER** agree that their equitable interest up to the amount of this bond in the above-described real property shall be forfeited to the United States of America should the defendant fail to appear as required by the Court or otherwise

violate any condition of the Court's Order Setting Conditions of Release, during the pendency of the order.

8. **ZISHAN H. ALVI AND ROSEANN M. GAGER** agree to execute a quit claim deed in favor of the United States of America, which deed shall be held in the custody of the Clerk of the United States District Court, Northern District of Illinois, until further order of the Court.

9. **ZISHAN H. ALVI AND ROSEANN M. GAGER** understand that the United States of America will seek an order from the Court authorizing the United States of America to file and record the above-described deed and will take whatever other action that may be necessary to perfect its interest in the above-described real property, should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, during the pendency of the order.

10. **ZISHAN H. ALVI AND ROSEANN M. GAGER** understand and agree that, should the defendant fail to appear as required by the Court or otherwise violate any condition of the Court's Order Setting Conditions of Release, **ZISHAN H. ALVI AND ROSEANN M. GAGER** will be liable to pay the difference between the bond amount of \$2,000,000 and their equitable interest in the subject property, and **ZISHAN H. ALVI AND ROSEANN M. GAGER** hereby agree to the entry of a default judgment against them for the amount of any such difference.

11. **ZISHAN H. ALVI AND ROSEANN M. GAGER** agree that they will maintain the subject property in good repair, pay all taxes and obligations thereon when due, and will take no action which could encumber the real property or diminish their interest therein, including any effort to sell or otherwise convey the property without leave of Court.

12. **ZISHAN H. ALVI AND ROSEANN M. GAGER** understand that if they have knowingly made or submitted or caused to be made or submitted any false, fraudulent or misleading statement or document in connection with this Forfeiture Agreement, or in connection with the bond set for defendant, they are subject to a felony prosecution for making false statements and making a false declaration under penalty of perjury.

13. **ZISHAN H. ALVI AND ROSEANN M. GAGER** agree that the United States shall file and record a copy of this Forfeiture Agreement with the Cook County Recorder of Deeds as notice of encumbrance in the amount of the bond.

14. **ZISHAN H. ALVI AND ROSEANN M. GAGER** hereby declare under penalty of perjury that they have read the foregoing Forfeiture Agreement in its entirety, and the information contained herein is true and correct.

15. **ZISHAN H. ALVI AND ROSEANN M. GAGER** understand and agree that failure to comply with any term or condition of this Forfeiture Agreement will constitute grounds for the United States of America to request that the bond posted for the release of the defendant be revoked.

Date:

March 13, 2023



ZISHAN H. ALVI
Surety/Grantor

Date:

March 13, 2023



ROSEANN M. GAGER
Surety/Grantor

Date:

March 13, 2023



WITNESS

Prepared by and Return to:
Bissell, US Attorney's Office
219 S. Dearborn Street, 5th Floor
Chicago, Illinois 60604